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REC'D TN  
REGULATORY AUTH.

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Guy M. Hicks  
General Counsel

OFFICE OF THE  
EXECUTIVE SECRETARY  
March 2, 2001

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**VIA HAND DELIVERY**

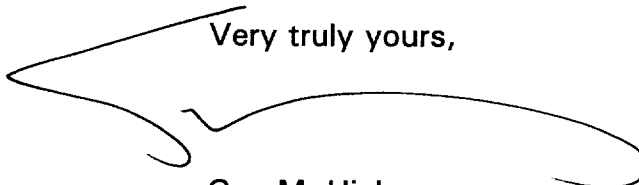
Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0404

Re: *Petition for Interconnection Arbitration by DIECA Communications, Inc. d/b/a Covad Communications Company, Inc. Against BellSouth Telecommunications, Inc.*  
Docket No. 00-01130

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Objections to Covad Communications Company's First Data Requests. Copies of the enclosed are being provided to counsel of record.

Very truly yours,



Guy M. Hicks

GMH/jem

Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**Nashville, Tennessee**

Re: *Petition for Interconnection Arbitration by DIECA Communications, Inc.  
d/b/a Covad Communications Company, Inc. Against BellSouth  
Telecommunications, Inc.*

Docket No. 00-01130

**BELLSOUTH'S OBJECTIONS TO COVAD COMMUNICATIONS  
COMPANY'S FIRST DATA REQUESTS**

BellSouth Telecommunications, Inc. ("BellSouth") files its objections to Covad Communications Company's (hereinafter "Covad") 1<sup>st</sup> Data Requests as follows:

**General Objections**

1. BellSouth objects to the definitions and instructions to the extent they seek to impose any obligation upon BellSouth which exceeds the obligations established by the rules of civil procedure or by the Commission.

2. BellSouth objects to the definition of "BellSouth" as overly broad. BellSouth will respond to these requests on behalf of those entities for whom BellSouth is legally required to respond.

**Specific Objections**

In addition to and without waiving the General Objections set forth above, BellSouth sets forth the following specific objections to certain of the individual discovery request.

REQUEST NO. 1: With regard to Issue 5(a), Covad requests that BellSouth provide information illustrating how long it has taken BellSouth in Tennessee, since August 1999, to provision unbundled ADSL, HDSL, UCL, and ISDN (UDC/IDSL) loops for Covad. BellSouth's response should include data which shows, by month, the number of loops provided, the average provisioning interval for those loops, and a description of how BellSouth measures the loop delivery interval.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 2: Please provide information illustrating how long it takes BellSouth, on average, to provision unbundled voice grade (SL1) loops and voice grade loops for BellSouth retail operations in Tennessee, since August 1999.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 3: In response to Issue 5(a), BellSouth states that, "BellSouth is obligated to provide these facilities in a non-discriminatory manner, . . . Covad is not entitled to have these network elements provisioned more rapidly than BellSouth makes these facilities available to itself or its affiliates." Please explain in detail which facilities and which affiliates in Tennessee, since August 1999, BellSouth is comparing its provisioning of xDSL loops to Covad,

such that BellSouth concludes that it is provisioning these in a non-discriminatory manner.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 4: In response to issue 5(a), BellSouth states that it has made a manual process for loop makeup information available to Covad. Please provide information regarding the number of manual loop makeup information inquiries conducted on behalf of BellSouth retail operations in Tennessee, since August 1999, including those for BellSouth.net, and the duration by month of the response time for those loop makeup inquiries.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth currently does not have a measure in place to track manual loop make-up inquiries. However, BellSouth is in the process of implementing such a measurement.

REQUEST NO. 5: In response to issue 5(b), BellSouth states that "BellSouth's interval for IDSL compatible loops, . . . is non-discriminatory and is 5-7 days after the FOC is returned." Please provide data that shows the average loop delivery interval by month of BellSouth's retail ISDN loops in Tennessee since August 1999.

**OBJECTION:** BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad. BellSouth does not maintain this information specifically on IDSL loops.

**REQUEST NO. 6:** In response to Issue 5(c), BellSouth indicates that conditioning loops takes time. Please provide data which shows the average duration of time it takes from placing an order to condition a loop for retail ISDN or T1 service in Tennessee, since August 1999 to the time that work is completed.

**OBJECTION:** BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

**REQUEST NO. 8:** With regard to Issue 7, please describe the steps BellSouth has taken in Tennessee, since August 1999, to understand how other incumbent carriers provide DSL service without requiring that loops be designed. Your response should include a explanation of any contacts made by BellSouth's loop product groups with any other incumbent carriers and BellSouth's understanding as to how other carriers provision identical loops to competitive carriers.

**OBJECTION:** BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00544 on generic cost. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth

will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome.

REQUEST NO. 10: Please provide information showing what type of OSS charges or other ordering charges, either manual or electronic, are imposed in Tennessee on BellSouth retail DSL customers since August 1999. Your answer should include an explanation of how those charges were developed, how those charges are imposed, and whether those charges are ever waived.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome.

REQUEST NO. 11: Please describe in detail the charges BellSouth in Tennessee seeks to impose on Covad, including a specific dollar amount, for each order Covad places and then must cancel after BellSouth fails to timely provision the loop since August 1999.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 12: Please describe whether BellSouth retail DSL customers and BellSouth Internet service provider customers are charged for work done in processing a local service request that is later cancelled for any reason. Your response should include the exact dollar amount of such charges imposed on BellSouth's Internet service provider partners or BellSouth retail customers and the number of times such charge has been imposed since August 1999.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 14: Please provide data showing the installation interval for every splitter installed by BellSouth in Tennessee in response to a Covad order since June 2000. Included in your response should be the entire time from which the order was placed with the BellSouth vendor of splitters to the time final installation was completed.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 17: In response to Issue 18, BellSouth admits that it, "owes Covad non-discriminatory access to unbundled network elements." Please provide information showing the average installation interval, by month since August 1999, for BellSouth DSL service provided over a voice facility in Tennessee.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth

does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 18: Please provide data showing the average loop delivery interval for Covad line shared orders in Tennessee since September 1, 2000.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 25: In response to Issue 31, BellSouth has stated that "Covad is in the exact same situation that BellSouth is in. If there are no facilities that can be used to provide the services requested, then Covad, like BellSouth, will just have to wait until there are facilities available." Please provide information showing the average duration, in Tennessee, by month since August 1999 for which BellSouth retail DSL orders were held pending facilities.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

REQUEST NO. 26: In response to Issue 31, BellSouth has stated that "Covad is in the exact same situation that BellSouth is in. If there are no facilities that can be used to provide the services requested, then Covad, like BellSouth, will just have to wait until there are facilities available." Please provide information showing the average duration, in Tennessee, by month since August 1999 for which BellSouth retail POTS orders were held pending facilities.



OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome.

REQUEST NO. 27: In response to Issue 31, BellSouth has stated that "Covad is in the exact same situation that BellSouth is in. If there are no facilities that can be used to provide the services requested, then Covad, like BellSouth, will just have to wait until there are facilities available." Please provide information showing the average duration, in Tennessee, by month since August 1999 for which BellSouth retail ISDN orders were held pending facilities.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further, BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

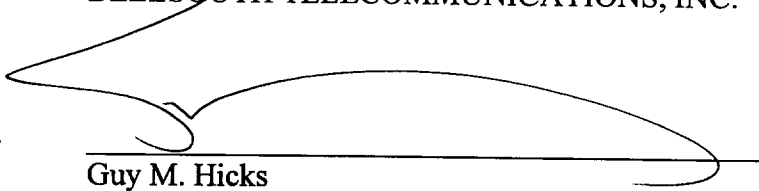
REQUEST NO. 28: In response to Issue 31, BellSouth has stated that "Covad is in the exact same situation that BellSouth is in. If there are no facilities that can be used to provide the services requested, then Covad, like BellSouth, will just have to wait until there are facilities available." Please provide information showing the average duration, in Tennessee, by month since August 1999 for which BellSouth retail T1 orders were held pending facilities.

OBJECTION: BellSouth objects to this data request on the grounds that Covad is seeking information on issues that should be referred to TRA Docket 00-00392 on generic performance measurements. If, however, Covad believes that the referenced data request is directed to an issue in this proceeding that is not being referred, if Covad will identify which issue and explain how the request relates to that issue, BellSouth will reevaluate its position. Further,

BellSouth objects to this data request on the grounds that it is overly broad and unduly burdensome. Additionally, BellSouth does not maintain this information disaggregated to the level of detail that is requested herein by Covad.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

A large, stylized handwritten signature in black ink, appearing to be 'Guy M. Hicks', written over a horizontal line.

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301

T. Michael Twomey  
General Attorney  
675 W. Peachtree Street, Suite 4300  
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**CERTIFICATE OF SERVICE**

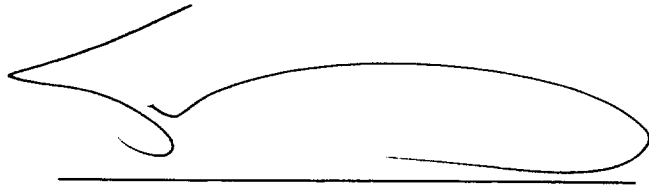
I hereby certify that on March 2, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Henry Walker, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Catherine F. Boone, Esq.  
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